

Wetlands Bureau Decision Report

Decisions Taken
12/15/2008 to 12/21/2008

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-00769 METHUEN CONST. NOM TRUDT, L. ROBERT DESCANTIS
SALEM Unnamed Wetland

Requested Action:

Amend permit to: Fill approximately 373 square feet within two isolated forested wetlands to construct additional parking, adjacent to Salem Prime Wetland #17, for an existing commercial development. And to construct a 6,200 sq. ft. commercial building with appurtenant drainage structures and landscaping to be located within a portion of the previously approved parking area.

Conservation Commission/Staff Comments:

In a letter to the NHDES Wetlands Bureau dated June 3, 2004 the Salem Conservation Commission recommended the following actions: a) approve the request to fill 373 square feet of non-contiguous isolated wetlands in the northeast corner of the lot; b) disapprove of the request to move the boundary of Prime Wetland #17, as depicted on the plans; and 3) move the boundary of Prime Wetland #17 to the wetland boundary referenced as "EOW - Edge of Wet" on the plans.

Amendment request is for the construction of a 6,200 sq. ft. building within the footprint of a previously approved parking area with appurtenant drainage structures and landscaping.

Inspection Date: 08/05/2004 by Christian P Williams

Inspection Date: 07/15/2004 by Christian P Williams

APPROVE AMENDMENT:

Amend permit to: Fill approximately 373 square feet within two isolated forested wetlands to construct additional parking, adjacent to Salem Prime Wetland #17, for an existing commercial development. And to construct a 6,200 sq. ft. commercial building with appurtenant drainage structures and landscaping to be located within a portion of the previously approved parking area.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc. dated 7/22/2008 (last revised 11/3/08), as received by DES on November 12, 2008.
2. At least seven days prior to the start of construction the permittee shall notify in writing the NH DES Wetlands Bureau Southeast Region staff and the Salem Conservation Commission of the date project construction is proposed to begin.
3. Work shall be conducted during low flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Major Impact Project, per Administrative Rule Wt 303.02(f), as the project is located adjacent to Salem Prime Wetland #17.

2. On April 29, 2004 the NHDES Wetlands Bureau received a Standard Dredge and Fill Application requesting approximately 373 square feet of fill in isolated, forested wetlands to construct additional parking, adjacent to Salem Prime Wetland #17, for an existing commercial development. The application also requested modification of the boundary of Prime Wetland #17 on the property.
3. On June 4, 2004 the NHDES Wetlands Bureau received a report dated May 21, 2004 from Certified Wetland Scientist Michael Cuomo, representing the Town of Salem, stating that the boundary of Prime Wetland #17 on Lot 7767 (Salem Tax Map 115) should be adjusted to correspond to the wetland boundary.
4. On June 4, 2004 the NHDES Wetlands Bureau received a letter dated June 3, 2004 from the Salem Conservation Commission recommending the following actions: a) approval of the request to fill 373 square feet of non-contiguous isolated wetlands in the northeast corner of the lot; b) disapproval of the request to move the boundary of Prime Wetland #17, as depicted on plans submitted with the application; and c) relocation of the boundary of Prime Wetland #17 to the wetland boundary referenced as "E.O.W. - Edge of Wetlands" on the plans submitted with the application.
5. NHDES Wetlands Bureau staff conducted field inspections of the property on July 15, 2004 and August 25, 2004.
6. Based on observations made during the above-referenced field inspections, the Department, in a letter dated September 2, 2004, informed the applicant's authorized agent, Gove Environmental Services, Inc., that the boundary of Prime Wetland #17 is best represented by the wetland boundary depicted as "E.O.W. - Edge of Wetlands" on the Site Layout Plan by TF Moran, Inc, dated April 26, 2004.
7. On October 12, 2004 the NHDES Wetlands Bureau conducted a public hearing for the proposed project, in accordance with Rule Wt 703.03. No concerns or objections were raised during the hearing.
8. At the above-referenced public hearing, a revised Site Layout Plan (Sheet 1 of 3) and Site Grading Plan (Sheet 2 of 3) depicting the new boundary of Prime Wetland #17 was submitted to the Department.
9. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
12. The applicant has sufficiently addressed the criteria for approval, defined in Rule Wt 703.01(b), for projects located in or adjacent to designated prime wetlands.
13. Based on observations made during the above-referenced field inspections of the property and based on review of documentation and information submitted in support of the application, the Department finds that there is clear and convincing evidence that the proposal will result in no significant net loss of values to the prime wetlands, as set forth in RSA 482-A:1.
14. The amendment request to construct a 6,200 sq. ft. commercial building with appurtenant drainage structures and landscaping to be located within a portion of the previously approved parking area is reasonable, slightly reduces the amount of impervious pavement on site and has received approval from the Town of Salem.

2008-00823 LEIBOVITCH, RICHARD
WHITEFIELD Burns Lake

Requested Action:

Proposal to dredge and fill 4,550 sq. ft. of wetlands for existing driveway improvements, drainage structures and access to an existing barn, installation of two 6 ft. x 30 ft. seasonal docks with one personal watercraft lift, restoration of 87,110 sq. ft. wetlands impacted without a permit and restoration 13,810 sq. ft. of wetlands for reconstruction and improvements to existing roadway swales.

APPROVE PERMIT:

Dredge and fill 4,550 sq. ft. of wetlands for existing driveway improvements, drainage structures and access to an existing barn, installation of two 6 ft. x 30 ft. seasonal docks with one personal watercraft lift, restoration of 87,110 sq. ft. wetlands impacted without a permit and restoration 13,810 sq. ft. of wetlands for reconstruction and improvements to existing roadway swales.

With Conditions:

1. All work shall be in accordance with plans by Headwaters Hydrology, PLLC dated August 28, 2008, as received by DES on October 1, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.

3. This permit is contingent on compliance with the "Restoration Plan Approval" issued by the DES Wetland Bureau Compliance Section on August 1, 2008.
4. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be done during low flow.
8. These shall be the only structures on this water frontage and all portions of the docks shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
9. Seasonal piers shall be removed from the lake for the non-boating season.
10. No portion of the seasonal piers shall extend more than 30 feet from the shoreline at full lake elevation.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the site on October 15, 2008.
6. The permanent access impacts for the project are 4,550 square feet on an approximately 140 acre parcel.
7. The applicant has provided evidence demonstrating that there has been historic access to the lot and access prior to DES's jurisdiction over wetlands.
8. The lot has 3,200 linear feet of navigable frontage on Burns Pond.
9. The applicant is currently in compliance with the Restoration Plan Approval issued by the DES Wetlands Bureau Compliance Section.
10. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine and

lacustrine
resource, as identified under RSA 482-A:1.

2008-01092 FERMAN, MARK
TUFTONBORO Lake Winnepesaukee

Requested Action:

Construct a U-shaped docking structure consisting of two 6 ft x 30 ft crib supported docks connected by a 6 ft x 12 ft walkway, and retain an existing separate 6 ft x 35 ft seasonal docking structure on 300 ft of frontage on Little Bear Island in Tuftonboro on Lake Winnepesaukee.

APPROVE PERMIT:

Construct a U-shaped docking structure consisting of two 6 ft x 30 ft crib supported docks connected by a 6 ft x 12 ft walkway, and retain an existing separate 6 ft x 35 ft seasonal docking structure on 300 ft of frontage on Little Bear Island in Tuftonboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction dated May 20, 2008 as received by the Department on December 11, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Unnecessary removal of vegetation shall be prohibited.
5. This permit does not allow for maintenance dredging or the removal of any navigational hazards.
6. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and local Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work authorized shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
12. Cribbs shall be spaced a minimum of 12 feet apart.
13. The side dimensions of the cribs may be increased on foot for every additional foot of water depth above 6 ft.
14. Docking structure may not be connected to the residential structure pursuant to RSA 482-A:26.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 300 feet of frontage along Lake Winnepesaukee.
4. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
6. Public hearing is waived based on field inspection, by NH DES staff, on August 8, 2008, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2008-01709 FEDERAL AVIATION ADMINISTRATION
GILFORD Prime Wetland #136

Requested Action:

Repair the elevated walkway and dock; construct a gravel path to a new 3ft. x 80 ft. footbridge to the elevated walkway from a new parking area and place 1200' of cable on the bed of pond impacting 5,945 sq. ft. in or within 100 ft. of Prime Wetland.

Mitigate by adding 6 in. of loam to 7,000 sq. ft. of the 100 ft. upland buffer to the Prime Wetland, mulch and seed, plant 32 shrubs and construct drainage swale to treat sheet flow.

Conservation Commission/Staff Comments:

Cons. Comm. approves with erosion controls and notification of a pre-construction meeting.

Inspection Date: 09/24/2008 by Gino E Infascelli

APPROVE PERMIT:

Repair the elevated walkway and dock; construct a gravel path to a new 3ft. x 80 ft. footbridge to the elevated walkway from a new parking area and place 1200' of cable on the bed of pond impacting 5,945 sq. ft. in or within 100 ft. of Prime Wetland.

Mitigate by adding 6 in. of loam, mulch, seed and plant 32 shrubs in a 7,000 sq. ft. area within and to enhance the vegetative 100 ft. upland buffer to the Prime Wetland along with the construction of a drainage swale to treat sheet flow.

With Conditions:

1. All work shall be in accordance with plans by the Federal Aviation Administration dated 06/13/08, as received by DES on Aug. 18, 2008.
2. The applicant shall notify in writing the DES Wetlands Bureau and the Conservation Commission of his/her intention to start construction no less than five (5) business days prior to the commencement of construction and of the pre-construction meeting date and location noted in condition #3.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. The boundaries of the 100 ft. upland buffer to the Prime Wetland shall be clearly marked prior to construction, shall be remain marked until construction is complete and the work area is fully stabilized.
5. Areas having temporary impacts shall be regraded to original contours and stabilized.
6. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
7. There shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the prime wetland or 100-foot buffer with the exception of the limited work area allowed by this permit.
8. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
9. Work shall be during low flow or frozen ground conditions.
10. No fertilizers shall be used.

Mitigation within the 100 ft. upland buffer to the Prime Wetland:

11. This permit is contingent upon the successful establishment of the vegetation proposed within a 7,000 sq. ft. area of the 100 ft. upland buffer to the Prime Wetland in accordance with plans received August 18, 2008.
12. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
13. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.

14. The 100 ft. upland buffer to the Prime Wetland shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to stabilize and enhance the buffer area. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth.
15. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
16. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
17. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
18. The mitigation areas within 100 ft. upland buffer to the Prime Wetland shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland buffer is replicated in a manner satisfactory to the DES Wetlands Bureau.
19. Soils from areas vegetated with purple loosestrife shall not be used in the 100 ft. upland buffer to the Prime Wetland.
20. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the 100 ft. upland buffer to the Prime Wetland during construction and during the early stages of vegetative establishment.
21. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that, the project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The wetland and 100 ft. upland buffer to the Prime Wetland to be impacted by the project are areas currently being used for the same purposes requested in the application.
6. The engineering plans accurately locate the boundary of the wetlands and prime wetlands.
7. The erosion controls, and stabilization methods will protect and enhance the ability of the wetlands to retain floodwaters and silt.
8. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, and conditions of the permit offsets the limited impacts from the formalization of the existing area used for parking and walking access to the existing lighting facilities.
9. Based on the inspection conducted on Sept. 24, 2009 by the DES Wetlands Bureau, the project involves temporary or minimal environmental impacts and the mitigation will enhance the 100 ft. upland buffer to the Prime Wetland.
10. On Sept. 18, 2008, the DES received a letter from the Town of Gilford Conservation Commission noting no objection to the project along with two recommendations which are included in the permit conditions.
11. A public hearing was held on November 26, 2008.
12. The project will repair the existing deteriorating walkway and allow maintenance and service access by walking instead of boating.
13. Based on findings #1-12 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval.

**2008-02007 SOUTHBROOK WOODS CONDOMINIMUM ASSOCIATION, ROSELYN
CLAREMONT Unnamed Stream**

Requested Action:

Dredge and fill approximately 150 linear feet and restore approximately 80 linear feet of perennial and intermittent stream to replace

a 36-inch x 83-foot CMP with a 36-inch x 65-foot HDPE culvert; replace a 36-inch x 102-foot CMP with a 85-foot x 36-inch HDPE culvert; restore riprap lined channels; and maintenance dredge approximately 1,200 square feet of an existing wildlife pond.

APPROVE PERMIT:

Dredge and fill approximately 150 linear feet and restore approximately 80 linear feet of perennial and intermittent stream to replace a 36-inch x 83-foot CMP with a 36-inch x 65-foot HDPE culvert; replace a 36-inch x 102-foot CMP with a 85-foot x 36-inch HDPE culvert; restore riprap lined channels; and maintenance dredge approximately 1,200 square feet of an existing wildlife pond.

With Conditions:

1. All work shall be in accordance with plans by Jesseman Associates, P.C. dated August 2008, and revised through November 13, 2008, as received by the Department on November 17, 2008.
2. This permit is contingent upon the restoration of approximately 80 linear feet of intermittent/perennial stream channel in accordance with plans received November 17, 2008.
3. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
4. All stream work shall be done during low flow conditions.
5. All pond maintenance dredge work shall be done in the dry/ frozen conditions/ low water/ or under draw down conditions.
6. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
10. Machinery shall not be located within surface waters.
11. Machinery shall be staged and refueled in upland areas.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. There shall be no excavation or operation of construction equipment in flowing water.
14. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
16. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
17. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
18. Temporary cofferdams shall be entirely removed immediately following construction.
19. Culverts shall be laid at original grade.
20. Proper headwalls shall be constructed within seven days of culvert installation.
21. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
22. Materials used to emulate a recreated natural channel bottom must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
23. Culvert inlets and outlets shall match the natural grade of the stream channel.
24. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
25. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

26. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
27. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
28. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
29. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. No comments were submitted from the federal agencies, NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau and the Conservation Commission signed the Minimum Impact Expedited Application.
3. Permits for the existing ponds were obtained, M-1498 and M-1501. Approved plans for these ponds illustrated existing culverts.
4. The applicant has reduced the length of the proposed replacement culverts and has replaced proposed riprap with stream restoration.
5. The applicant has received written consent from the owners of lots 121 and 219 (Tax Map 132), abutters to the property on which project activities will take place, for work within 20 feet of their property lines, in accordance with Env-Wt 304.04(a).
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
9. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

2008-02016 HOOKSETT, TOWN OF
HOOKSETT Unnamed Wetland Dalton Brook

Requested Action:

Dredge and fill 6000 square feet along 350 linear feet of Dalton Brook further described as follows: Dredge the existing channel south of Benton Road to increase the hydrologic gradient of the stream, replace the existing 48-inch x 35 foot culvert with a 6-foot high x 10-foot wide x 35 feet long box culvert and relocate 180 linear feet of stream to improve the alignment and the hydrologic gradient.

APPROVE PERMIT:

Dredge and fill 6000 square feet along 350 linear feet of Dalton Brook further described as follows: Dredge the existing channel south of Benton Road to increase the hydrologic gradient of the stream, replace the existing 48-inch x 35 foot culvert with a 6-foot high x 10-foot wide x 35 feet long box culvert and relocate 180 linear feet of stream to improve the alignment and the hydrologic gradient.

With Conditions:

1. All work shall be in accordance with plan sheets 2 & 3 by Santec dated November 8, 2008 and revised through November 20, 2008, as received by the Department on December 1, 2008 and plan sheets 9 & 11A by Santec dated November 8, 2008 and revised through November 20, 2008, as received by the Department on December 12, 2008.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no

greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

3. Construction shall be inspected daily by a qualified stream specialist trained in fluvial geomorphology to ensure that the objectives to reduce flooding impacts and are being met, and appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. This approval is contingent upon a formal acceptance of the proposed conservation easement from the Hooksett Conservation Commission; no work may begin until a copy of a signed document stating such has been received by DES Wetlands Bureau.
6. This approval is contingent upon receipt and written approval of the draft conservation easement language by NHDES Wetlands Bureau, no work within jurisdiction may commence until written approval is granted.
7. This permit is contingent upon review and coordination with the DES Watershed Management Bureau's Water Quality Planning Section.
8. The permittee shall designate a qualified professional, trained in fluvial geomorphology who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the approved plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
9. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
10. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
11. Weekly monitoring reports of work and restoration areas prepared by the qualified professional shall be submitted to the DES Wetlands Bureau, and NH Fish and game via e-mail. These reports shall include photographic documentation of the construction and stabilization efforts and a brief description of the progress of construction.
12. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
13. Work shall be done during low flow.
14. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
17. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
18. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
19. No equipment shall enter the water.
20. All work shall be done from the top of the bank.
21. Prior to commencing work on a substructure within surface waters, a sandbag or other approved cofferdam shall be constructed to isolate the substructure work area from the surface waters.
22. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
23. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
24. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
25. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
26. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

27. Temporary cofferdams shall be entirely removed immediately following construction.
28. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
29. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
30. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
31. This permit is contingent upon the execution of a conservation easement as depicted on plans by Stantec dated October 29, 2008, and revised through November 20, 2008 as received by the Department on December 1, 2008.
32. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
33. The stream creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a functioning stream system similar to those of the stream channel destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
34. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction.
35. Signs to indicate the location of and restrictions on the area shall be posted every 50 feet along the boundary of the conservation area within 60 days of the completion of construction.
36. A preconstruction baseline report including photographs documenting the entire reach of the stream from the work area to the prime wetland and setting up long term monitoring locations shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
37. Within 60-days of the completion of the project the first post construction report, including photographs illustrating the status of the completed project, and the monitored downstream reach shall be submitted to the Wetlands Bureau and NH Fish and Game via e-mail to jocelyn.degler@des.nh.gov and john.a.magee@wildlife.nh.gov.
38. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the stream recreation area and the downstream monitored reach and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
39. The applicant shall prepare a report summarizing existing conditions within the conservation area and a copy submitted to the file prior to construction.
40. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
41. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks. For intermittent streams, the distance shall be measured along the thread of the channel.
2. The proposal is designed to mitigate a serious flooding issue upstream while not impacting any downstream properties.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided a downstream engineering analysis that indicates that there is no impact to downstream property owners.
5. The proposal will correctly size the existing crossing under Benton Road.
6. The proposed culvert will pass a 100-year storm event.
7. The proposal will drop the invert of the crossing under Benton Road by 3.5 feet, the applicant has stated that there is this much sediment which has accumulated over the natural stream bottom at this location.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has provided for a naturalized stream design including plantings and natural features within the stream bed to mimic the existing channel.

10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
11. The applicant is proposing a conservation easement over the proposed stream channel to mitigate for the impacts.
12. The applicant has provided a letter from the Hooksett Conservation Commission indicating that they would be willing to hold an easement over this area.
13. The applicant has provided a signed agreement from the property owner of lot 70 stating their agreement to place the land under conservation easement.
14. The engineer for the applicant has stated that the existing stream channel will remain an aquatic resource it will simply not be a flowing stream.
15. The applicant has provided a waiver request per Env-Wt 204.03, to waive setback to property lines in accordance with Env-Wt 304.04.
16. The agent for the applicant has attempted to contact the applicant and request written authorization from the abutter.
17. The applicant has provided the response from the abutter requesting approximately \$200,000 for the authorization, but not providing any concerns.
18. It would be an economic hardship for the owner to provide a \$200,000 fee to work within 20 feet of the property line.
19. The proposed project's objective is to alleviate upstream flooding and reduce property damage.
20. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.
21. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
22. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2008-01414 PETERS, LEO
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Reduce a 10 ft x 10 ft deck to 6 ft x 10 ft to comply with previous permit 2003-02478 for a 6 ft x 45 ft seasonal pier and seasonal boatlift. Relocate 7 rocks to be placed under the existing pier.

Conservation Commission/Staff Comments:

Con Com has not submitted comments by Oct 01, 2008

APPROVE PERMIT:

Reduce a 10 ft x 10 ft deck to 6 ft x 10 ft to comply with previous permit 2003-02478 for a 6 ft x 45 ft seasonal pier and seasonal boatlift. Relocate 7 rocks to be placed under the existing pier.

With Conditions:

1. All work shall be in accordance with plans by Watermark Navigation revised October 18, 2008, as received by DES on October 21, 2008.
2. The rocks shall be placed within the footprint of the existing seasonal pier.
3. This permit shall not be effective until it has been recorded with the Carroll County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. All seasonal structures shall be removed for the non-boating season.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is

responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

2008-01630 SQUARE HILL TRUST
WOLFEBORO Unnamed Stream

Requested Action:

Dredge and fill a total of 952 square feet for the installation of two culverts for driveway access in the subdivision of 20.24 acres into 3 single family residential lots.

APPROVE PERMIT:

Dredge and fill a total of 952 square feet for the installation of two culverts for driveway access in the subdivision of 20.24 acres into 3 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey dated August 8, 2008, and revised through November 21, 2008 as received by the Department on November 24, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during periods of non-flow.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01755 EM-LEW REALTY LLC
LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill a total of 5,914 sq. ft. of palustrine forested wetlands for work associated with the construction of a roadway with culvert crossings and drainage structures to provide access to a residential housing complex for the elderly.

Conservation Commission/Staff Comments:

The Londonderry Conservation Commission reported "... that it has no objections to the application as presented."

APPROVE PERMIT:

Dredge and fill a total of 5,914 sq. ft. of palustrine forested wetlands for work associated with the construction of a roadway with culvert crossings and drainage structures to provide access to a residential housing complex for the elderly.

With Conditions:

1. All work shall be in accordance with plans by McCourt Engineering Associates, PLLC dated 07/30/05 (last revised 07/21/08), as received by DES on August 27, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. A report provided by Schauer Environmental Consultants, LLC, dated November 3, 2008, certifies that there were no vernal pool habitats identified on this site.

2008-02039 KINGSTON, TOWN OF
KINGSTON Unnamed Stream

Requested Action:

Impact a total of 4,185 sq. ft. (2,667 sq. ft. permanent & 1,518 sq. ft. temporary impacts) in lacustrine wetlands for work associated with the replacement of the bridge which carries New Boston Road over the Powwow River in Kingston.

Conservation Commission/Staff Comments:

No report or comments received from the Kingston Conservation Commission.

APPROVE PERMIT:

Impact a total of 4,185 sq. ft. (2,667 sq. ft. permanent & 1,518 sq. ft. temporary impacts) in lacustrine wetlands for work associated with the replacement of the bridge which carries New Boston Road over the Powwow River in Kingston.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated August 2008, as received by DES on September 22, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h)&(l).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The bridge has been red-listed by NHDOT with a weight restriction imposed which requires buses and other large vehicles to make a 7-mile detour.

**2008-02055 PORTSMOUTH, CITY OF
MADBURY Johnson Creek**

Requested Action:

Impact 700 sq. ft. (55 linear ft.) of the bank of non-tidal Johnson Creek to construct an outlet for a newly constructed vegetated treatment swale, in place of a pipe discharging untreated stormwater, and in accordance with DES Alteration of Terrain approval dated 10/3/2008, for stormwater upgrades at the Madbury Water Treatment Plant.

APPROVE PERMIT:

Impact 700 sq. ft. (55 linear ft.) of the bank of non-tidal Johnson Creek to construct an outlet for a newly constructed vegetated treatment swale, in place of a pipe discharging untreated stormwater, and in accordance with DES Alteration of Terrain approval dated 10/3/2008, for stormwater upgrades at the Madbury Water Treatment Plant.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers dated 6/30/2008, as received by DES on 9/26/2008, and per materials by Underwood Engineers dated 1/23/2008 as received by DES on 12/2/2008.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Work shall be done during low flow.
9. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of the banks or channel of perennial streams.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The work is part of stormwater improvements for the City of Portsmouth's Madbury Water Treatment Plant, as approved by DES Alteration of Terrain Program on 10/3/2008.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The discharge of water will be pre-treated and controlled by site detention prior to reaching the stream, replacing an untreated straight discharge pipe.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. No species of concern were reported by the NH Natural Heritage Bureau for the project vicinity.
5. The Madbury Conservation Commission recommends approval.

2008-02093

LANDRY, JAMES & JOAN

BARRINGTON Unnamed Stream Nippo Pond

Requested Action:

Dredge and fill 2675 sq. ft. of wetlands and install a 8' x 4' x 56' long arch culvert for construction of a road crossing for a 50 lot subdivision on 163 acres.

APPROVE PERMIT:

Dredge and fill 2675 sq. ft. of wetlands and install a 8' x 4' x 56' long arch culvert for construction of a road crossing for a 50 lot subdivision on 163 acres.

With Conditions:

1. All work shall be in accordance with plans by Northpoint Engineering LLC dated July 2008, as received by the Department on 9/26/2008; and with plans by Promised Land Survey LLC, 8/11/2008, as received by the Department on 9/26/2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Silt fencing must be removed once the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter or disturb less than 200 linear feet of an intermittent stream that are not minimum per Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The wetland must be crossed at some location to provide access to buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The crossing has been located at a narrow crossing point in the wetland.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported the presence of two exemplary natural communities, two plant species, and four vertebrate species in the vicinity of the project. One community, and the two plant species are off the project site. Preservation of the exemplary rich red oak rocky woods community is beyond the scope or impact of the wetlands request applied for. The vertebrate species are located either off site or well beyond the location of the proposed impact.
5. The Barrington Conservation Commission stated in a letter dated 10/16/2008 that the project was located in the least impacting location; they had no objection to the application, and were pleased with with the proposed arch culvert.

2008-02588 **WARREN, TOWN OF**
WARREN **Baker River**

Requested Action:

Dredge and fill 40 sq. ft. of river bank for construction of a new drainage outfall pipe.

APPROVE PERMIT:

Dredge and fill 40 sq. ft. of river bank for construction of a new drainage outfall pipe.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated November 20, 2008, as received by DES on December 1, 2008.
2. This permit is contingent on the approval by the NHDES Watershed Management Bureau.
3. The proposed catch basins shall be maintained under a permanent schedule to reduce any discharge of sediment into the adjacent river.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Town is under a court order to resolve drainage issues at the site.
6. The applicant has received correspondence from the DES Water Quality Assessment Program stating the project would not have a measurable impact on the existing water quality impairment of the Baker River.

MINIMUM IMPACT PROJECT

2007-01333 **AMHERST, TOWN OF**
AMHERST **Unnamed Stream**

Requested Action:

Applicant requests to retain 45 linear feet of 18-inch HDPE culvert that replaced a failed stone box culvert beneath Boston Post Road for safe vehicular passage.

Conservation Commission/Staff Comments:

The Amherst Conservation Commission, "concurs with the proposed reinstallation of the existing culvert pipe.."

APPROVE AFTER THE FACT:

Retain 45 linear feet of 18-inch HDPE culvert that replaced a failed stone box culvert beneath Boston Post Road for safe vehicular passage.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated September 7, 2007, as received by DES on November 29, 2007.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The existing stone box culvert had been destroyed during a storm on April 15, 2007; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The replacement, 18-inch culvert was laid in the same footprint as the previous culvert; therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01575 **HOWE, MARY**
WILMOT **Unnamed Stream**

Requested Action:

Dredge and fill 5 square feet to replace an existing failed stone culvert with a 36-inch x 20 foot culvert imbedded 6-inches.

APPROVE PERMIT:

Dredge and fill 5 square feet to replace an existing failed stone culvert with a 36-inch x 20 foot culvert imbedded 6-inches.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants dated September 13, 1007 and revised through November 21, 2008, as received by the Department on November 24, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the Town of Wilmont for work within the right of way.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work shall be done during periods of non-flow and in the dry.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. All work shall be done from the top of the bank.
8. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided a letter of authorization from the abutter for work within 20 feet of the property line from the abutter Arnold.
6. The applicant has provided a waiver request per Env-Wt 204.03, to waive the written authorization for work within 20 feet of an abutting property per Env-Wt 304.04.
7. The proposed project is the replacement of an existing culvert within a town right-of-way.
8. This is the only access to the existing lot of record.
9. It would be an economic hardship for the owner to be unable to access the lot.
10. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.
11. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

2008-01722 SOMERSWORTH, CITY OF
SOMERSWORTH Drainage Swale

Requested Action:

Maintenance dredge 3,400 sq. ft. of sediment from man-made drainage ditch constructed by NHDOT in the 1970's to alleviate flooding.

APPROVE PERMIT:

Maintenance dredge 3,400 sq. ft. of sediment from man-made drainage ditch constructed by NHDOT in the 1970's to alleviate flooding.

With Conditions:

1. All work shall be in accordance with original plans by NHDOT dated circa 1970, project #M5415, sheet 15 of 43; and per plans by the City of Somersworth Engineering Department dated 7/9/2008, both received as by DES on 8/21/2008; and per dewatering methods as described in narrative by the City of Somersworth Engineer dated 12/1/2008, as received by DES 12/2/2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Area shall be regraded to original contours of the originally constructed project NHDOT #M5415.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

7. Work shall be done during low flow.

8. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredging of non-tidal drainage ditches, which does not exceed 20,000 sq. ft. of impact.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The ditch is filled with sediment creating a flooding problem for adjacent buildings and roadways.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.

5. The Somersworth Conservation Commission recommends approval.

2008-02091 OLIVER, DOROTHY
DURHAM Little Bay

Requested Action:

Temporarily impact 1,600 sq. ft. of previously developed upland tidal buffer zone to install a replacement septic system.

APPROVE PERMIT:

Temporarily impact 1,600 sq. ft. of previously developed upland tidal buffer zone to install a replacement septic system.

With Conditions:

1. All work shall be in accordance with plans by Atlantic Survey Company dated 9/3/2008, as received by DES on 9/26/2008.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

7. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects within previously developed uplands within 100 feet of the highest observable tide line that are not major or minor.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. It is necessary to replace the current septic system which is showing signs of failure.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The system is sited in the only possible location on the lot, and will prevent a system failure near the shore of Great Bay.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau for the project vicinity.
5. This project complies with RSA 483-B, the Comprehensive Shoreland Protection Act.
6. The Durham Conservation Commission did not report.

2008-02146 GERRITY COMPANY INC
MEREDITH Unnamed Stream

Requested Action:

Retain drainage improvements for water quality to an existing dredged and disturbed stream and impact approximately 5 square feet of bank of the stream for the installation of mechanical treatment outlet.

APPROVE PERMIT:

Retain drainage improvements for water quality to an existing dredged and disturbed stream and impact approximately 5 square feet of bank of the stream for the installation of mechanical treatment outlet.

With Conditions:

1. All work shall be in accordance with plans by Sebago Technics dated June 23, 2005, and revised through July 24, 2006, as received by DES on October 1, 2008.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. The structures shall be maintained in accordance with the Stormwater Management Facilities Maintenance Plan as received on June 22, 2008.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore, stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.

2. The proposed project was at the request of the Alteration of Terrain Staff to correct existing water quality violations on the site.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-02262

MOUNTVIEW PROPERTY OWNERS ASSOC OF FREEDOM INC

FREEDOM Ossipee Lake

Requested Action:

Upgrade an existing boat ramp by removing the existing concrete ramp and installing a 12 ft x 50 ft concrete ramp, regrading the access ramp to a lesser slope on approximately 330 ft of frontage on Ossipee Lake, in Freedom.

Conservation Commission/Staff Comments:

No Con Com comments by December 12, 2008

APPROVE PERMIT:

Upgrade an existing boat ramp by removing the existing concrete ramp and installing a 12 ft x 50 ft concrete ramp, regrading the access ramp to a lesser slope on approximately 330 ft of frontage on Ossipee Lake, in Freedom.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp dated April 2008, as received by DES on October 15, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. All dredged or excavated material and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a), projects in any bank, or in and adjacent to any water of the state that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04, or Env-Wt 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project will help reduce transport of sediment to the water body and upgrade an existing boat ramp.

FORESTRY NOTIFICATION

2008-02694 GENZINGE, CARLA
PLAINFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Plainfield Tax Map 263, Lot# 38

2008-02695 BLAKE REVOC TRUST, IGOR
NEWPORT Unnamed Stream

COMPLETE NOTIFICATION:
Newport Tax Map 25, Lot# 1809

2008-02696 THOMSON, SHELIA
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:
Orford Tax Map 7-30, Lot# 17

2008-02697 HUMPHREY, CHARLES & BONITA
EPSOM Unnamed Stream

COMPLETE NOTIFICATION:
Epsom Tax MAp R15, Lot# 9

2008-02698 AUDET, GASTON
DUNBARTON Unnamed Stream

COMPLETE NOTIFICATION:
Dunbarton Tax Map C7, Lot# 3-3

2008-02699 BERRY, ANN
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:
Canterbury Tax Map 221, Lot# 13

2008-02700 CHAILLE, GERALD
TILTON Unnamed Stream

COMPLETE NOTIFICATION:
Tilton Tax Map R11, Lot# 6

2008-02701 LEPENE LAND HOLDING LLC, RICHARD LEPENE
SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Sanbornton Tax Map 9, Lot# 98

2008-02713 TONNESEN, GLENN & MEREDITH
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton Tax Map 425, Lot# 10

2008-02714 TONNESEN, GLENN & MEREDITH
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton Tax Map 425, Lot# 4 & 5

2008-02715 DRED, STATE NURSERY
WOLFEBORO Unnamed Stream

COMPLETE NOTIFICATION:
Wolfeboro Tax Map 15, Lot# 5-15

2008-02716 JOHNSON, DOUGLAS
NEW BOSTON Unnamed Stream

COMPLETE NOTIFICATION:
New Boston Tax Map 1, Lot# 47

2008-02717 PERK, WILLIAM
EATON Unnamed Stream

COMPLETE NOTIFICATION:
Eaton Tax MAp R11, Lot# 21

2008-02718 OLSON, WAYNO
ANTRIM Unnamed Stream

COMPLETE NOTIFICATION:
Antrim Tax Map 218, Lot# 18

2008-02729 WEISS, SUSAN
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:
Canaan Tax Map 12, Lot# 37F

2008-02730 LAMY, DANIEL
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Deerfield TaxMap 410, Lot# 31

2008-02731 NORRIS, EMILIE
EPSOM Unnamed Stream

COMPLETE NOTIFICATION:
Epsom Tax Map U18, Lot# 20

2008-02733 STARLAKE PROPERTIES INC
SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Springfield Tax Map 18, Lot# 703,154 & 704,153

2008-02734 OLSON, MARK & ALICE
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Barnstead Tax Map 11, Lot# 56

2008-02736 CARTER 2007 TRUST, ELIZABETH
BETHLEHEM Unnamed Stream

COMPLETE NOTIFICATION:
Bethlehem Tax Map 401, 403, Lot# 50, 637

2008-02740 WINDHURST, JOHN & BARBARA
HOPKINTON Unnamed Stream

COMPLETE NOTIFICATION:
Hopkinton Tax Map 250, Lot# 66

2008-02741 PAINE, WALTER
ENFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Enfield Tax Map 5, Lot# 7

2008-02743 BRITT, JOAN
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map R12, Lot# 73A

2008-02745 CONNECTICUT LAKES REALTY TRUST, C/O LYME TIMBER
STEWARTSTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Stewartstown Tax Map B2, Lot# 7

2008-02746 CONNECTICUT LAKES REALTY TRUST, C/O LYME TIMBER
CLARKSVILLE Unnamed Stream

COMPLETE NOTIFICATION:
Clarksville Tax Map R6, Lot# 2

2008-02747 CONNECTICUT LAKES REALTY TRUST, C/O LYME TIMBER
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map 1, Lot# 26

EXPEDITED MINIMUM

2008-01478 BERK, BRUCE & REBECCA
ALTON Lake Winnepesaukee

Requested Action:
Repair 820 sq ft breakwater "in-kind" with the same dimensions, location and configuration on 109 ft of frontage on Barndoor Island in Alton on Lake Winnepesaukee.

APPROVE PERMIT:
Repair 820 sq ft breakwater "in-kind" with the same dimensions, location and configuration on 109 ft of frontage on Barndoor Island in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated December 5, 2008 as received by the Department on December 8, 2008.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site

has returned to normal clarity.

6. No portion of breakwater as measured at normal full lake shall extend more than 54 feet from normal full lake shoreline.
7. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
8. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
9. The breakwater shall have an irregular face to dissipate wave energy.
10. The repaired breakwater shall not exceed an 11 ft width at any point as measured from the toe of slope.
11. Breakwater shall not exceed an 820 sq ft area.
12. This permit does not authorize piling installation.
13. This permit does not authorize beach replenishment or construction, shoreline stabilization projects, or any work conducted within protected shoreland.
14. This permit does not authorized dredging with exception to the relocation of breakwater rocks and the removal of construction debris.
15. Future repairs to the breakwater and docking system may be conducted under this permit until expiration. Repairs may only commence after the Department and the local conservation commission has been notified in writing about extent of repair/replacement.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), repair or replacement of existing docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01812 JORDAN, NINA
LEE Unnamed Pond

Requested Action:

Maintenance dredge 1,600 sq. ft. of sediment from existing man-made pond to restore original depth.

APPROVE PERMIT:

Maintenance dredge 1,600 sq. ft. of sediment from existing man-made pond to restore original depth.

With Conditions:

1. All work shall be in accordance with plans by Michael Groover dated 8/26/2008, as received by DES on 9/8/2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Work shall be done during driest period of summer, preferably August, per the recommendations of NH Fish & Game Department, as a precautionary turtle protection measure.
7. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to

be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredging of man-made ponds not exceeding 20,000 sq. ft. of impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The pond has filled in with sediment in the nearly 40 years since construction to the degree that it has lost most of its depth.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The dredge is limited to the most degraded part of the pond, and will not exceed its original depth.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The permit has been conditioned to reflect the concerns of NH Fish & Game regarding the potential for the work to impact turtles which may move through the area; and has further stated that the project is not expected to further impact the species (brook floater mussel, and wood and Blandings turtles) reported by the NH Natural Heritage Bureau for the great project vicinity.
5. The Lee Conservation Commission signed the expedited application.

2008-02159 TUCKER BROOK LLC
MILFORD Unnamed Wetland

Requested Action:

Fill 1,534 square feet of a man-made drainage ditch to improve the drainage by installing a 12-inch CPP culvert and associated fill.

Conservation Commission/Staff Comments:

The Milford Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill 1,534 square feet of a man-made drainage ditch to improve the drainage by installing a 12-inch CPP culvert and associated fill.

With Conditions:

1. All work shall be in accordance with the Wetland Impact Site Plan by Meridian Land Services, Inc. dated Jay 7, 2008, as received by DES on October 8, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work shall be done during seasonal low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. Currently, the existing man-made drainage swale does not allow sufficient flow of stormwater; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. Although not required by Statute or Rule, the applicant agreed to place 5.886 acres into permanent conservation as mitigation for the impacts.
6. The applicant obtained written concurrence from the abutter identified as Barbour Inc. (Milford Tax Map 6 Lot 38) for those impacts on their property.

2008-02160 MEADOW PARK LLC
MILFORD Unnamed Wetland

Requested Action:

Fill 1,670 square feet of a man-made drainage ditch to improve the drainage by installing a 36-inch HDPE culvert and associated fill.

Conservation Commission/Staff Comments:

The Milford Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill 1,670 square feet of a man-made drainage ditch to improve the drainage by installing a 36-inch HDPE culvert and associated fill.

With Conditions:

1. All work shall be in accordance with the Grading and Drainage plan (Sheet Sp-2, Sheet No. 3 of 9) by Meridian Land Services, Inc. dated May 12, 2008 and revised through August 19, 2008, as received by DES on October 8, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work shall be done during seasonal low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. Currently, the existing man-made drainage swale does not allow sufficient flow of stormwater; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Although not required by Statute or Rule, the applicant agreed to place 5.886 acres into permanent conservation as mitigation for the impacts.
6. The applicant obtained written concurrence from the abutter identified as SAT SR. Limited Partnership (Milford Tax Map 7 Lot 30) for those impacts on their property.

2008-02229 GRIFFIN-SAAS, ELLEN
NEWINGTON Great Bay

Requested Action:

Impact 1,875 sq. ft. of developed upland tidal buffer zone to construct a closed drainage system boat wash within existing marina parking lot, and a portable 10' x 10' control building, to protect water quality at Great Bay.

APPROVE PERMIT:

Impact 1,875 sq. ft. of developed upland tidal buffer zone to construct a closed drainage system boat wash within existing marina parking lot, and a portable 10' x 10' control building, to protect water quality at Great Bay.

With Conditions:

1. All work shall be in accordance with plans by Oak Engineering dated 8/20/2008, as received by DES on 10/16/2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects within previously developed uplands within 100 feet of the highest observable tide line that are not major or minor.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The structure will capture and contain boat wash water which currently sheet flows back into the resource.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau for the project vicinity.
5. The Newington Conservation Commission signed the expedited application.
6. This project complies with RSA 483-B, the Comprehensive Shoreland Protection Act.

2008-02290 ADE, RICHARD
RYE Sagamore Creek

Requested Action:

Impact a total of 1,276 square feet within the previously-developed 100-foot tidal buffer zone to include 800 square feet of temporary impact and 476 square feet of permanent impact for the construction of an addition to the existing single family residential dwelling; removal of an existing patio; and, replacement of the patio with a pervious patio.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 1,276 square feet within the previously-developed 100-foot tidal buffer zone to include 800 square feet of temporary impact and 476 square feet of permanent impact for the construction of an addition to the existing single family residential dwelling; removal of an existing patio; and, replacement of the patio with a pervious patio.

With Conditions:

1. All work shall be in accordance with plans by TMS Architects dated September 3, 2008 and received by the Department of Environmental Services ("DES") on October 22, 2008.

2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
8. No fill shall be done for lot development.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. No more than 29.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
11. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-02586 CULL REVOC TRUST, RICHARD
HAMPTON Tidal Buffer / Atlantic Ocean**

Requested Action:

Permanently impact 75 square feet within the previously developed 100-foot tidal buffer zone for the demolition of the existing single family residential dwelling for the construction of a new single family residential dwelling.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Permanently impact 75 square feet within the previously developed 100-foot tidal buffer zone for the demolition of the existing single family residential dwelling for the construction of a new single family residential dwelling.

With Conditions:

1. All work shall be in accordance with plans by Fullerton Associates, Inc. dated November 4, 2008, as received by DES on December 1, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The applicant requests to construct a new residential dwelling; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant obtained written concurrence from the abutter identified as Antoinette Costello (Hampton Tax Map 134 map 99) for the impacts occurring within 20-feet of the property boundary.

2008-02610 SCHOELLNER, KLAUS & JOAN
SUNAPEE Lake Sunapee

Requested Action:

Install a 4 ft x 24 ft seasonal dock on Lake Sunapee, Sunapee.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install a 4 ft x 24 ft seasonal dock on Lake Sunapee, Sunapee.

With Conditions:

1. All work shall be in accordance with plans as received by DES on December 08, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.

2. The applicant has an average of 69 feet of shoreline frontage along Lake Sunapee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Less Than 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

TRAILS NOTIFICATION

2008-02742 MOTIVA ENTERPRISES LLC
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Farmington Tax Map 216, Lot# 18

LAKES-SEASONAL DOCK NOTIF

2008-02737 PROVENCHER, ROLAND & MICHELLE
MEREDITH Lake Wicwas

COMPLETE NOTIFICATION:
Meredith, NH Tax Map R14 Lot 30
Lake Wicwas

X-SHORELAND VARIANCE / WA

2007-02247 MITCHELL/ MACKIE, FRED & KATHERINE/ LYNN
MEREDITH Lake Wicwas

Requested Action:
Expand an existing nonconforming primary structure located within the primary building setback (the "Setback") on property with approximately 135 ft of frontage on Lake Wicwas in Meredith.

Conservation Commission/Staff Comments:
2/12/08 - received call from Mr. LeCount, Con Comm and he said they never received a copy of the Shoreland Waiver application. I will put that in the mail today. Nancy Perry

Inspection Date: 11/08/2007 by Thomas Gilbert

APPROVE AMENDMENT:
Expand an existing nonconforming primary structure located within the primary building setback (the "Setback") on property with approximately 135 ft of frontage on Lake Wicwas in Meredith.

With Conditions:

1. All work shall be conducted in accordance with revised building plans, stormwater control plans and landscaping plans by David M. Dolan Associates dated September 30, 2008 and received by DES on October 1, 2008.
2. This Waiver shall not be effective unless and until it has been recorded at the Belknap County Registry of Deeds and a copy of the recorded document is sent to DES by certified mail, return receipt requested.
3. Neither the Owner nor any subsequent owner shall construct, expand, install or otherwise create any impervious surface other than those shown on revised building plans, stormwater control plans and landscaping plans by David M. Dolan Associates dated September 30, 2008 and received by DES on October 1, 2008.
4. This Waiver shall run with the land and be binding upon the Owner and all subsequent owners of the subject property.
5. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
6. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is prohibited.
7. All proposed vegetation shall be planted by July 1, 2010. Plantings shall have a 100% survival success rate by October 31, 2010. An initial monitoring report shall be submitted to DES by November 15, 2010 documenting the success of the plantings. In the event that construction is delayed, the Applicant shall submit a written request to DES to plant the proposed vegetation at a later date.
8. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
9. The proposed pervious pavers shall be installed in accordance with the manufacturers specifications.
10. This waiver is contingent upon approval by the DES Subsurface Systems Bureau if the primary structure is dependant on an on-site septic system.
11. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. A copy of the recorded Waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
14. This Waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
15. The owner shall maintain compliance with all other applicable requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.
16. DES and the Town of Meredith, pursuant to RSA 483-B:8, III, shall have the right to enforce the terms and conditions of this Waiver, including collection of their reasonable costs and attorneys' fees in bringing any such action.
17. The authorization provided herein is contingent upon compliance with all conditions specified. In the event any condition is violated, the State or town of Meredith may seek appropriate relief, including but not limited to removal of the structure authorized by this waiver.

With Findings:

1. The existing structure, as identified on the Town of Meredith Tax Map R14 Lot 12, is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 10.2 ft from the reference line and has a footprint of approximately 1,221 sq ft within the Setback.
3. The proposed structure will be located approximately 10.2 ft from the reference line and have a footprint of approximately 1,568 sq ft within the Setback.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove an existing shed occupying approximately 64 sq ft within the Setback.
6. The Applicant has proposed to replace an existing wooden walkway located within the Setback, occupying approximately 171 sq

ft, and an existing wooden walkway located outside of the Setback, occupying approximately 85 sq ft with porous pavers.

7. The Applicant has proposed to replace approximately 140 sq ft of existing beach area with proposed native vegetation including Sheep Laurel and Partridge Berry.

8. The Applicant has proposed to plant native vegetation including Rhododendron, Sheep Laurel, Partridge Berry, White Birch and Sweet Fern as indicated on landscaping plans by David M. Dolan Associates and modified by Bill Mackie dated September 9, 2008 and received by DES on October 1, 2008.

9. The Applicant has proposed to install stormwater controls consisting of infiltration trenches along the drip edges of the proposed structure for stormwater infiltration.

10. The Applicant's proposal includes removal of a portion of an existing beach, native vegetation and stormwater controls.

11. Based on this information, the Department has determined that the Applicant's proposal is more nearly conforming with RSA 483-B, the CSPA, and provides at least the same degree of protection to the public waters, and, therefore, meets the requirements of RSA 483-B:11, II to be eligible for a waiver.

Requested Action:

Expand an existing nonconforming primary structure located within the primary building setback (the "Setback") on property with approximately 135 ft of frontage on Lake Wicwas in Meredith.

APPROVE CSPA WAIVER:

Expand an existing nonconforming primary structure located within the primary building setback (the "Setback") on property with approximately 135 ft of frontage on Lake Wicwas in Meredith.

With Conditions:

1. All work shall be conducted in accordance with revised building plans and stormwater control plans titled "Proposed Site Plan of Land of Fred A. & Katherine Mitchell & Lynn Mackie" dated March 27, 2008 and received by DES on March 27, 2008 and revised landscaping plans titled "Tree and Landscape Plan of Land of Fred A. & Katherine Mitchell & Lynn Mackie" by David Dolan Associates, PC dated March 27, 2008 and received by DES on March 27, 2008.

2. This Waiver shall not be effective unless and until it has been recorded at the Belknap County Registry of Deeds and a copy of the recorded document is sent to DES by certified mail, return receipt requested.

3. Neither the Owner nor any subsequent owner shall construct, expand, install or otherwise create any impervious surface other than those shown on revised building plans by David Dolan Associates, PC titled "Proposed Site Plan of Land of Fred A. & Katherine Mitchell & Lynn Mackie" dated March 27, 2008 and received by DES on March 27, 2008 within the Setback.

4. This Waiver shall run with the land and be binding upon the Owner and all subsequent owners of the subject property.

5. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.

6. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is prohibited.

7. All proposed vegetation shall be planted by July 1, 2008. Plantings shall have a 90% survival success rate by October 31, 2008. An initial monitoring report shall be submitted to DES by November 15, 2008 documenting the success of the plantings. In the event that construction is delayed, the Applicant shall submit a written request to DES to plant the proposed vegetation at a later date.

8. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.

9. This waiver is contingent upon approval of the existing septic system by the DES Subsurface Systems Bureau.

10. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

11. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

12. A copy of the recorded Waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.

13. This Waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.

14. The owner shall maintain compliance with all other applicable requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

15. DES and the Town of Meredith, pursuant to RSA 483-B:8, III, shall have the right to enforce the terms and conditions of this Waiver, including collection of their reasonable costs and attorneys' fees in bringing any such action.

16. The authorization provided herein is contingent upon compliance with all conditions specified. In the event any condition is violated, the State or town of Meredith may seek appropriate relief, including but not limited to removal of the structure authorized by this waiver.

With Findings:

1. The existing structure, as identified on the Town of Meredith Tax Map R14 Lot 12, is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 10.2 ft from the reference line, has a ridgeline height of approximately 30.4 ft and a footprint of approximately 930 sq ft within the Setback, providing approximately 1,284 sq ft of living space.
3. The proposed structure will be located approximately 10.2 ft from the reference line, have a ridgeline height of approximately 30.4 ft and a footprint of approximately 1,348 sq ft within the Setback, providing approximately 1,702 sq ft of living space.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove an existing shed occupying approximately 64 sq ft within the Setback.
6. The Applicant has proposed to replace an existing wooden walkway occupying approximately 171 sq ft within the Setback with porous pavers
7. The Applicant has proposed to replace an existing beach area with proposed native vegetation including Rhododendron, Sheep Laurel, Birch, Partridge Berry and Sweet Fern, creating a 10 ft wide vegetative buffer along the shoreline.
8. The Applicant has proposed to install stormwater controls consisting of infiltration trenches along the drip edges of the proposed structure for stormwater infiltration.
9. The Applicant's proposal will create a 10 ft wide vegetative buffer along the shoreline and includes stormwater controls.
10. Based on this information, the Department has determined that the Applicant's proposal is more nearly conforming with RSA 483-B, the CSPA, and provides at least the same degree of protection to the public waters, and, therefore, meets the requirements of RSA 483-B:11, II to be eligible for a waiver.

PERMIT BY NOTIFICATION

2008-00341 SALEM, TOWN OF
SALEM Unnamed Wetland

2008-02692 JASINSKAS, FRANCIS
LACONIA Opechee Lake

Requested Action:

Repair of existing retaining walls.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form bty 12/16/08

PBN IS COMPLETE:

Repair of existing retaining walls.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls.

2008-02707 MILES, MARA
SANDOWN Unnamed Wetland

Requested Action:

Applicant requests to impact wetlands to gain access to a single family residential lot within a propose 12-lot subdivision.

PBN DISQUALIFIED:

Deny request to impact wetlands to gain access to a single family residential lot within a propose 12-lot subdivision.

With Findings:

Crossings within proposed subdivisions do not qualify for the PBN process.

2008-02721 PSNH
NORTH HAMPTON Unnamed Wetland

Requested Action:

Temporarily impact 2,520 sq. ft. of wet meadow/scrub-shrub wetland to replace cross arms on two utility poles.

PBN IS COMPLETE:

Temporarily impact 2,520 sq. ft. of wet meadow/scrub-shrub wetland to replace cross arms on two utility poles.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(af).

CSPA PERMIT

2008-01688 MCLAUGHLIN/KITCHEL, PETER/JANE
LYME Connecticut River

Requested Action:

Impact 21,495 sq ft to expand an existing nonconforming structure, raise grades to elevate the structure above the flood plain, construct a new driveway, and construct a curved stone retaining wall.

APPROVE PERMIT:

Impact 21,495 sq ft to expand an existing nonconforming structure, raise grades to elevate the structure above the flood plain, construct a new driveway, and construct a curved stone retaining wall.

With Conditions:

1. All work shall be in accordance with plans by Randall T. Mudge & Associates dated August 14, 2008 and received by the

Department of Environmental Services ("DES") on August 20, 2008.

2. No more than 3.92% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 43,975 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 25,148.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. The proposed pervious paving shall be constructed in accordance with plans by Janet Cavanagh dated December 1, 2008 and recieved by DES on December 5, 2008.
6. The proposed pervious paving shall be sufficient to allow effective stormwater infiltration.
7. There shall be no disturbance to natural vegetation within the 50 ft waterfront buffer.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01826 ISKE, BRIAN/CAROL
LACONIA Lake Winnepesaukee

Requested Action:

Impact 18,078 to construct a new single family residence, and pervious driveway, remove the pre-existing primary structure and reconstruct as an accessory structure with a greater setback from the reference line, and remove and restore the pre-existing driveway.

APPROVE PERMIT:

Impact 18,078 to construct a new single family residence, and pervious driveway, remove the pre-existing primary structure and reconstruct as an accessory structure with a greater setback from the reference line, and remove and restore the pre-existing driveway.

With Conditions:

1. All construction, excavation, and fill shall be in accordance with plans by Steven J Smith & Associates, Inc. revised August 25, 2008 and received by the Department of Environmental Services ("DES") on September 4, 2008.
2. Plantings shall be completed in accordance with plans by Jordan Associates, Inc. revised August 25, 2008 and received by the Department of Environmental Services ("DES") on September 4, 2008.
3. This permit does not supersede any restrictive covenant or other deed restriction that may regulate or restrict the placement of structures on this property.
4. No more than 19.36% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The Owner shall be required to restore the Waterfront buffer in accordance with RSA 483-B:9, V, (g), (2), if for any reason the impervious surface area of the lot exceeds 20% of the total area of the lot.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. There are currently no unaltered areas on the property that could be retained by the owner.
2. The owners of Lots 1 and 2 as shown on the plan entitled "Subdivision of Land, TM Lot 166-270-027 and TM 168-270-001, Summit Avenue/Wentworth Cove Road, Laconia, New Hampshire for Wide Waters, LLC" shall be responsible for the enforcement of any restrictions pertaining to the placement and construction of structures as outlined in the deed for the subject property.
3. The proposed cabin is an accessory structure and subject to the rules as found in Part Env-Wq 1405.
4. The proposed cabin will exceed 150 sq ft of impact within the 50 ft segment of the Waterfront Buffer it impacts.
5. The proposed cabin and attached patio impacts less of the 50 ft segment than the pre-existing home.
6. The proposed cabin and attached patio will be the only accessory structures within the waterfront buffer on the property.
7. Plantings as proposed by the Applicant will help offset the impacts of the portions of the structure that will remain within the waterfront buffer.
8. The project as proposed meets the requirements of Rule Env-Wq 1413.04, Criteria, for the granting of a waiver of Rule Env-Wq 1405.03, Limitations on Accessory Structures, (b), (1) and, therefore, Rule Env-Wq 1405.03 is waived.

2008-01972 ROBINSON, MICHAEL
LISBON Ammonoosuc River

Requested Action:

Impact 2,120 to place a mobile home, install a septic system and construct a driveway.

APPROVE PERMIT:

Impact 2,120 to place a mobile home, install a septic system and construct a driveway.

With Conditions:

1. All work shall be in accordance with plans by Edgar C. Cormier dated August 22, 2008 and received by the Department of Environmental Services ("DES") on September 16, 2008.
2. No more than 2.86% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 71,932 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 35,966 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02171 SWISS VIEW VILLAGE CONDO, BERNIE GALLAGHER, PRES
BRISTOL Newfound Lake

Requested Action:

Replace existing decking with an enclosed porch and decking for each of 7 existing condos.

APPROVE PERMIT:

Replace existing decking with an enclosed porch and decking for each of 7 existing condos.

With Conditions:

1. All work shall be in accordance with plans by Granite State Surveying Inc. dated August 8, 2008 and received by the Department of Environmental Services ("DES") on September 29, 2008.
2. No more than 16.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed shall impact no unaltered areas within the Natural Woodland Buffer beyond the primary building setback.
4. The proposed enclosed porches shall not contain glass windows of any kind at any point of time.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02252

CASHMAN, DANIEL/SUZANNE

FITZWILLIAM Rockwood Pond

Requested Action:

Impact 9,039 sq ft to construct a new primary structure and driveway.

APPROVE PERMIT:

Impact 9,039 sq ft to construct a new primary structure and driveway.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated October 6, 2008 and received by the Department of Environmental Services ("DES") on October 17, 2008.
2. No more than 6.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 38,871 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 19,435.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02476 HASENFUSS, KEVIN/SELENA
ALTON Halfmoon Lake

Requested Action:

Impact 5654 sq ft for the purpose of removing existing single family dwelling from the waterfront buffer and building a new single family dwelling behind the primary building setback, a new septic system, and a retaining wall outside the waterfront buffer.

APPROVE PERMIT:

Impact 5654 sq ft for the purpose of removing existing single family dwelling from the waterfront buffer and building a new single family dwelling behind the primary building setback, a new septic system, and a retaining wall outside the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying and Engineering dated October 28, 2008 and received by the Department of Environmental Services ("DES") on December 12, 2008.
2. The project area where the existing single family dwelling is to be removed according to plans by Berry Surveying and Engineering dated October 28, 2008 and received by the Department of Environmental Services ("DES") on December 12, 2008 including those areas within the waterfront buffer shall be revegetated with native trees, shrubs and ground covers upon completion of project installation.
3. All construction related debris shall be completely removed from the protected shorelands.
4. The proposed activities in this project that are associated with the construction of a new septic system are contingent on approval by the DES Subsurface Systems Bureau.
5. Orange construction fencing shall be placed at the limits of all construction.
6. No more than 7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. The project as proposed will leave approximately 9107 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 9084 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02492 KEENAN, JAMES/PHYLLIS
BRIDGEWATER Newfound Lake

Requested Action:

Impact 2005 sq ft to raise an existing single family dwelling and excavate in and around the existing footprint for the purpose of pouring a concrete foundation with crawl space.

APPROVE PERMIT:

Impact 2005 sq ft to raise an existing single family dwelling and excavate in and around the existing footprint for the purpose of pouring a concrete foundation with crawl space.

With Conditions:

1. All work shall be in accordance with plans by Shering Associates LLC dated November 1, 2008 and received by the Department of Environmental Services ("DES") on November 17, 2008.
2. The portions of this project involving the removal and replacement of the failed septic system shall be constructed in accordance with Subsurface Permit CA2008094375 dated August 22, 2008.
3. No more than 18.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 2010 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2010 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Orange construction fencing shall be placed at the limits of construction.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2008-02517 SEVERINO TRUCKING COMPANY INC
HOOKSETT Pinnacle Pond

Requested Action:

Impact 14,700 sq ft for the purpose of excavating fill needed for construction along I-93.

APPROVE PERMIT:

Impact 14,700 sq ft for the purpose of excavating fill needed for construction along I-93.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated October 29, 2007 and received by the Department of Environmental Services ("DES") on November 21, 2008.
2. As per recommendations by Melissa Coppola of the New Hampshire Natural Heritage Bureau there will be no activity including construction, tree cutting, and alteration of terrain within 200 ft of Pinnacle Pond in order to lessen impacts on the sandy pond shore system and state-endangered plant species grassleaf goldenrod (*Euthamia caroliniana*).
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau, Shoreland Program will require a new application and further permitting by the Bureau.
4. Orange construction fencing shall be placed at the limits of all construction or excavation.
5. No impervious surfaces shall be constructed in the protected shorelands unless additional approval is obtained from DES.
6. The project as proposed will leave approximately 35,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 17,000 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

11. Any fill placed, stored, or used shall be clean sand, gravel, rock, or other suitable material.

CSPA PERMIT W/WAIVER

2008-01325 PUTNEY, JOHN & JOAN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 4,804 sq ft to replace an existing nonconforming primary structure with a proposed nonconforming primary structure and install a septic system.

WAIVER APPROVED: RSA 483-B:9, II is waived to allow construction of a primary structure within the primary building setback.

APPROVE PERMIT:

Impact 4,804 sq ft to replace an existing nonconforming primary structure with a proposed nonconforming primary structure and install a septic system.

WAIVER APPROVED: RSA 483-B:9, II is waived to allow construction of a primary structure within the primary building setback.

With Conditions:

1. All work shall be in accordance with revised building plans and landscaping plans by David M. Dolan Associates dated November 11, 2008 and received by the Department of Environmental Services ("DES") on November 20, 2008.
2. This approval includes a waiver of the minimum standard set forth in RSA 483-B:9, II (b). This permit shall not be effective until it has been recorded with the appropriate Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. No more than 19.66% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 2,637 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,636.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. An initial vegetation monitoring report shall be submitted to DES by July 30, 2010 to review the success of the plantings and schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Shoreland Permit number and be sent to the DES Wetlands Bureau, 29 Hazen Drive, Concord, NH 03302.
6. Proposed plantings shall have a 100% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 100% success rate is achieved.
7. The proposed porous pavers shall be installed and maintained in accordance with the manufacturers specifications.
8. The proposed porous pavers shall allow for effective stormwater infiltration.
9. This permit is contingent on approval by the DES Subsurface Systems Bureau.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

14. Any fill used shall be clean sand, gravel, rock, or other suitable material.

15. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The Applicant has proposed to locate the proposed primary structure approximately 12.7 ft further back from the reference line than the existing structure.

4. The Applicant has proposed stormwater controls consisting of infiltration trenches along the roof eaves of the proposed primary structure.

5. The Applicant has proposed to plant native vegetation within the 50 ft waterfront buffer.

6. The applicant has proposed to increase the setback of the structure to the reference line, improve stormwater infiltration, and improve wildlife habitat and soil retention by adding vegetation in the waterfront buffer, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2008-01896 PLONSKI, JOSEPH
SANBORTON Winnisquam Lake

Requested Action:

Complete the expansion of main cottage, guest cottage and driveway.

WAIVER APPROVED: RSA 483-B:9 II is waived to allow the expansion of the existing cottage within the primary building setback.

APPROVE PERMIT:

Complete the expansion of main cottage, guest cottage and driveway.

WAIVER APPROVED: RSA 483-B:9 II is waived to allow the expansion of the existing cottage within the primary building setback.

With Conditions:

1. All work shall be in accordance with revised building plans by Joe Plonski dated December 5, 2008 and received by the Department of Environmental Services ("DES") on December 5, 2008, guest cottage addition plans by Joe Plonski dated November 10, 2008 and received by DES on November 10, 2008 and landscaping and stormwater control plans by Joe Plonski dated November 25, 2008 and received by DES on November 25, 2008.

2. This approval includes a waiver of the minimum standard set forth in RSA 483-B:9, II(b). This permit shall not be effective until it has been recorded with the appropriate Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction. 3. No more than 7.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. The project as proposed will leave approximately 44,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 43,250 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. An initial vegetation monitoring report shall be submitted to DES by July 30, 2010 to review the success of the plantings and schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the

plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Shoreland Permit number and be sent to the DES Wetlands Bureau, 29 Hazen Drive, Concord, NH 03302.

6. Proposed plantings shall have a 100% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 100% success rate is achieved.

7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The Applicant has proposed to plant native vegetation within the 50 ft waterfront buffer.

4. The Applicant has proposed to install stormwater controls consisting of a gutter system that shall direct stormwater to a proposed drywell.

5. The applicant has proposed to improve wildlife habitat and soil retention through the planting of native species in the waterfront buffer and improve the infiltration of stormwater and, therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2008-02168 GIERYN, CYNTHIA
SALEM Arlington Mill Reservoir

Requested Action:

Impact approximately 9,148 sq ft for the purpose of replacing a nonconforming dwelling and installing a new septic system.

WAIVER APPROVED: RSA 483-B:9,II, (b) is waived to allow the construction of a primary structure within the primary building setback.

APPROVE PERMIT:

Impact approximately 9,148 sq ft for the purpose of replacing a nonconforming dwelling and installing a new septic system.

WAIVER APPROVED: RSA 483-B:9,II, (b) is waived to allow the construction of a primary structure within the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle Association dated October 2, 2008 and received by the Department of Environmental Services ("DES") on October 8, 2008.

2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the Rockingham County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. No more than 30.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces.

5. The project as proposed will leave approximately 5,546 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,546 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. An initial vegetation monitoring report shall be submitted to DES by July 30, 2010 to review the success of the plantings and schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Shoreland Permit number and be sent to the DES Wetlands Bureau, 29 Hazen Drive, Concord, NH 03302.
14. Proposed plantings shall have a 100% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 100% success rate is achieved.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Arlington Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The Applicant has proposed to install a new septic system.
4. The Applicant has proposed to plant native vegetation including Yellow Birch, American Mountain Ash, Gray Dogwood, Black Chokeberry and Lowbrush Blueberry to enhance the waterfront buffer.
5. The Applicant has proposed to install stormwater controls consisting of a drywell to capture rainfall from the drip edges of the proposed structure.
6. The Applicant's proposal will decrease the amount of impervious surface within the protected shoreland from 32% to 30.5% and will increase the setback of the primary structure from the reference line by approximately 10 ft.
7. The applicant has proposed to install a new state approved septic system, install stormwater controls, decrease the total impervious area within the protected shoreland and increase the primary structure setback from the reference line and, therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2008-02498 HOPKINS FAMILY TRUST
ALTON Lake Winnepesaukee

Requested Action:

Remove existing 720 sq ft dwelling, 142 sq ft bunk house, 62 sq ft bath house, and 64 sq ft deck and construct a 2,390 sq ft dwelling and 456 sq ft deck.

WAIVER APPROVED: RSA 483-B:9,II, (b) is waived to allow the construction of a primary structure within the primary building setback.

APPROVE PERMIT:

Remove existing 720 sq ft dwelling, 142 sq ft bunk house, 62 sq ft bath house, and 64 sq ft deck and construct a 2,390 sq ft dwelling and 456 sq ft deck.

WAIVER APPROVED: RSA 483-B:9,II, (b) is waived to allow the construction of a primary structure within the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 21, 2008 and received by the Department of Environmental Services ("DES") on November 18, 2008.
2. This approval includes a waiver of RSA 483-B:9, II, (b) and, therefore, shall not be effective until it has been recorded at the Belknap County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 11.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 2,403 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,942 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The project as proposed would result in a reduction of the impervious area within the waterfront buffer from 999 sq ft to 755 sq ft.
4. The applicant has proposed to increase the primary structure's setback from 30 ft from the reference line to 37 ft from the reference line, and maximize the setback on the lot, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.